

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

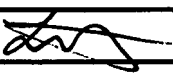
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Application Number	10/591/025
Filing Date	03/15/2005
First Named Inventor	Cornell, et al.
Art Unit	1617
Examiner Name	Avila, Stephen A.
Attorney Docket Number	

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<div style="border: 1px solid black; padding: 5px; min-height: 100px;"> <b>Remarks</b> </div>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	McIntyre Harbin & King LLP		
Signature			
Printed name	Lawrence Harbin		
Date	07/03/2007	Reg. No.	27,644

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	hand-carried		
Typed or printed name	Lawrence Harbin	Date	07/03/2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/591,025	Donald E. Cornell	MHK. 152.002

INTERNATIONAL APPLICATION NO.

PCT/US05/08474

I.A. FILING DATE	PRIORITY DATE
03/15/2005	03/19/2003

Lawrence Harbin  
 McIntyre Harbin & King  
 500 Ninth Street SE  
 Washington, DC 20003

CONFIRMATION NO. 6642

371 FORMALITIES LETTER



\*OC000000023649460\*

Date Mailed: 05/03/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 08/29/2006
- Copy of the International Search Report filed on 08/29/2006
- Oath or Declaration filed on 08/29/2006
- Request for Immediate Examination filed on 08/29/2006
- U.S. Basic National Fees filed on 08/29/2006
- Priority Documents filed on 08/29/2006
- Specification filed on 08/29/2006
- Claims filed on 08/29/2006
- Abstracts filed on 08/29/2006
- Drawings filed on 08/29/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
  - there are two inventor listed on decl., and publish application only one inventor signed.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27,

must be submitted with the missing items identified in this letter.

# SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$215** for a Small Entity:

- **\$65 Surcharge.**
  - The application search fee has not been paid. Applicant must submit **\$50** to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
  - The application examination fee has not been paid. Applicant must submit **\$100** to complete the examination fee for a small entity in compliance with 37 CFR 1.27. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/591,025	PCT/US05/08474	MHK. 152.002

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re PATENT APPLICATION of:

**Cornell, Donald E. & William M. Farrell**

Serial No.: 10/591,025

Group Art Unit: 1617

International Appln.: PCT/US05/08474

I.A. Filing Date: 03/15/2005

Priority Date: 03/19/2003

Examiner: Stephen P. Avila

For: **AXIAL FLOW PUMP OR  
MARINE PROPULSION DEVICE**

July 3, 2007

**REPLY TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 IN U.S. DESIGNATED OFFICE**

Commissioner of Patent  
and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the notification of missing requirement mailed May 3, 2007, applicants submit a copy of the original Request filed with the referenced International application (PCT/US05/08474) on 03/15/2005, which contains a declaration sheet signed by each inventor. The inventors signed their respective names on separate declaration sheets although both names appeared on each declaration sheet. Both declaration sheets were filed with the original PCT application. Thus, the notification incorrectly indicates that only one of the two inventors signed the declaration when, in fact, both inventors had signed. In connection with the alleged missing declaration, applicants submit herewith a



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re PATENT APPLICATION of:

**Cornell, Donald E. & William M. Farrell**

Serial No.: 10/591,025

Group Art Unit: 1617

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I.A. Filing Date: 03/15/2005

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Examiner: Stephen P. Avila

For: **AXIAL FLOW PUMP OR  
MARINE PROPULSION DEVICE**

July 3, 2007

**REPLY TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 IN U.S. DESIGNATED OFFICE**

Commissioner of Patent  
and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

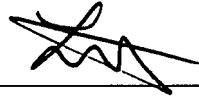
In reply to the notification of missing requirement mailed May 3, 2007, applicants submit a copy of the original Request filed with the referenced International application (PCT/US05/08474) on 03/15/2005, which contains a declaration sheet signed by each inventor. The inventors signed their respective names on separate declaration sheets although both names appeared on each declaration sheet. Both declaration sheets were filed with the original PCT application. Thus, the notification incorrectly indicates that only one of the two inventors signed the declaration when, in fact, both inventors had signed. In connection with the alleged missing declaration, applicants submit herewith a

\$65 surcharge but respectfully request a refund due to an error on the part of the U.S. Receiving Office.

Applicants also submit a \$50 search fee and a \$100 examination fee. Total fee submitted herewith is \$215, as requested by the notification.

A copy of the Notification of Missing Requirements is attached hereto.

Respectfully submitted,  
McINTYRE HARBIN & KING



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500 Ninth Street, S.E.  
Washington, DC 20003  
202.546.1100 tel. 202.543-9230 fax

07/06/2007 GFREY1 00000122 10591025  
01 FC:2633 100.00 OP  
02 FC:2641 50.00 OP  
03 FC:2617 65.00 OP